THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO.6345 of 2001

Dated: 17-07-2006

Between:

The Thugundram Watershed Development Society,
Thugundram Village, Chittoor District.

..... PETITIONER

AND

The Government of Andhra Pradesh, Chittoor District,
and four others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION NO.6345 of 2001

ORDER:

The petitioner is a Watershed Development Society. Aggrieved by the No-Objection certificate (NOC) issued by third respondent in favour of fifth respondent for grant of quarry lease for granite in respect of piece of land comprised in survey No.134 situated in Thugundram Village, Gangadhara Nellore Mandal of Chittoor District, the present writ petition is filed. This Court, by order dated 09-04-2001 in W.P.M.P.No.8065 of 2001, stayed all further proceedings pursuant to impugned NOC. When fifth respondent moved an application, being W.V.M.P.No.1152 of 2001, for vacating the interim order, this Court vacated the same by order dated 19-06-2001. This Court also noticed that out of total extent of Acs.860.16 guntas in survey No.134, fifth respondent applied for grant of quarry lease in respect of Acs.5.00, which was covered with small hillock and small boulders. Be that as it is, it is brought to the notice of the Court that fifth respondent applied for granite lease for the period of two years. In that view of the matter, even if the lease of fifth respondent was extended subsequently, the same is not challenged specifically by filing a separate petition and therefore, cause of action does not survive. If there is still a subsisting lease in favour of the petitioner, it is open to it to challenge the same by raising all the questions. In this writ petition these issues cannot be gone into.

The writ petition, with the above observations, is accordingly dismissed as infructuous. No costs.

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(**V.V.S.RAO, J**)

17th July, 2006

ghn